

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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HERMA ROBINSON,

Plaintiff,

v.

ZURICH AMERICAN INSURANCE COMPANY, and  
JENNIFER ROBBIE aider and abettor,

Defendants.  
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No. 10-CIV-3926 (JFB) (AKT)

**DECLARATION OF  
JENNIFER ROBBIE**

I, **JENNIFER ROBBIE**, being duly sworn, declare under penalty of perjury that the foregoing is true and correct:

1. I am currently employed as Assistant Vice President, Proposition Management and Development, with Zurich American Insurance Company ("Zurich"). I am fully familiar with the facts set forth in this Declaration, which I offer in further support of Defendants' Reply Motion for Summary Judgment.

2. When I was employed as the Team Manager of the Quality Assurance team, I regularly kept a Microsoft Excel sheet which listed the assignments for the employees that I supervised. This assignment tracker was kept on my computer, and either Pamela Burris or I updated the document each month with the total number of assignments each employee had for that month.

3. The assignment tracker also includes my comments on additional non-audit assignments that each employee in my group had for that month. An auditor may have had more or less audits depending on these additional non-audit assignments and depending on the complexity of the audits.

4. I understand that a copy of this assignment tracker was produced during discovery and labeled with Bates Nos. ZURICH 1336 through ZURICH 1552. However, I have been informed that when the document was converted from Microsoft Excel to Portable Document Format, some of the tabs and columns were lost. As a result, I understand that my attorneys have had the document converted once again from Excel to Portable Document Format.

5. A true and correct copy of the assignment tracker is attached as Exhibit A to my declaration and now bears Bates Nos. ZURICH013078 through Zurich 13140. In the attached exhibit, the month and year are visible on the top of each page. The audit types are listed on the left side of each page, and the auditors' names are listed on the top row.

6. As the attached assignment tracker reflects, the number of audits assigned to each auditor varied per month. However, at all times, the audits were fairly distributed and there is no auditor who regularly received more assignments than the rest of the team.

Dated: New York, New York  
December 9, 2011

  
JENNIFER ROBBIE